

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2007 NOV 15 PM 4:56

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN STEVEN ROMERO

Defendant.

Magistrate Case No.

07 MJ 2874

COMPLAINT FOR VIOLATION OF

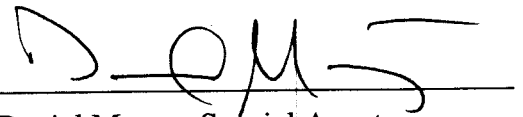
18 U.S.C. § 111, Assault on a Federal  
Officer

The undersigned complainant, being duly sworn, states:

COUNT 1

On November 15, 2007, within the Southern District of California, Defendant JOHN STEVEN ROMERO, did knowingly and intentionally, willfully and forcibly intimidate a person named in 18 U.S.C. Section 1114, namely Internal Revenue Agent George Lee, in that Defendant threatened to use physical force against Agent Lee, and approached Agent Lee in in an apparent attempt to use force against him, causing Agent Lee to reasonably fear that the Defendant's threatened use of force was imminent; while Agent Lee was engaged in the performance of his official duties; in violation of Title 18, U.S.C., Section 111.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated by reference.



Daniel Munoz, Special Agent  
Treasury Inspector General for Tax  
Administration

Dated: 11-15-07



HONORABLE Nita L. Stormes  
United States Magistrate Judge  
Southern District of California

Statement of Facts re: JOHN S. ROMERO

DANIEL MUNOZ, being duly sworn, depose and state that I am a Special Agent with the Treasury Inspector General for Tax Administration (TIGTA). I have investigated threats and assaults against Internal Revenue Service employees for 9 years, and state as follows:

On November 15, 2007, Internal Revenue Service (IRS) Revenue Agent GEORGE LEE of the San Diego, California post of duty advised me as follows:

On or about April 2007, LEE was assigned the tax audit of taxpayer JOHN S. ROMERO relating to U.S. Individual Income Tax Returns for the years 2003 and 2004.

On November 15, 2007, at about 8:00 a.m. LEE went to ROMERO's residence located at 24843 Potrero Valley Road, Potrero, California, County of San Diego, for the purpose of serving a summons. LEE found the gate to the property was locked and waited for ROMERO to leave the residence. At about 8:40 a.m. ROMERO approached the locked gate in his vehicle. LEE and ROMERO exited their respective vehicles and met each other at the gate. LEE handed ROMERO the summons. ROMERO attempted to slap the summons from his hand and stated in an angry tone, "get the hell out of here or I will kick your ass." LEE stated, "sir, you are threatening a federal officer," and placed the summons in the grid work of the gate. ROMERO violently knocked the summons out of the gate and on to the ground. ROMERO stated in an angrier tone, "you think I can't kick your ass?" and started fumbling for his keys to unlock the gate.

LEE felt threatened by ROMERO's actions and got in his vehicle and immediately left the premises.

ROMERO forcibly resisted, opposed, impeded, intimidated and interfered with LEE in his official capacity, while engaged in the performance of official duties in violation of Title 18, United States Code, Section 111, Assaulting, resisting, or impeding certain officers or employees.